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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | | 10583419 |
| | Filing Date | | 2007-09-28 |
| | First Named Inventor | Christian Hubschwerlen | |
| | Art Unit | 1625 | |
| | Examiner Name | R. J. Desai | |
| | Attorney Docket Number | 65507(41925) | |

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| 1 | "The Organic Chemistry of Drug Design and Drug Action - 2nd Edition", 2004, Elsevier Academic Press, pgs. 29-32. | <input type="checkbox"/> |
| 2 | W.A. Gregory et al., "Antibacterials. Synthesis and Structure-Activity Studies of 3-Aryl-2-oxoozadiazolidines. 2. The "A" Group", J. Med. Chem., Vol. 33, pgs. 2569-2578 (1990). | <input type="checkbox"/> |
| 3 | A. Dalhoff, "A Report: Evaluation of the antibacterial activities of oxazolidinone-fluoroquinolone hybrids", (cited in the Grounds of Appeal of 5/31/2011 for European Patent 1 709 044). | <input type="checkbox"/> |
| 4 | Grounds of Appeal filed by Boeters & Lieck in European Patent 1 709 044 (May 31, 2011). | <input type="checkbox"/> |
| 5 | Grounds of Appeal filed by Lederer & Keller in European Patent 1 709 044 (May 30, 2011). | <input type="checkbox"/> |
| 6 | H.H. Locher et al., "Synthesis and Antibacterial Action of Novel Quinolone-Linked Oxazolidinones", 42nd ICAAC, 2002, San Diego, CA, September 27-30, 2002, Abstract F-1317. | <input type="checkbox"/> |
| 7 | C. Hubschwerlen et al., "New Oxazolinone-Quinolone Hybrids: Synthesis and SAR", 43rd ICAAC, 2003, Chicago, IL, September 14-17, 2003, Poster F-2144. | <input type="checkbox"/> |
| 8 | H.H. Locher et al., "Antibacterial Characterization and Mode of Action of New Oxazolidinone-Quinolone Hybrids", 43rd ICAAC, 2003, Chicago, IL, September 14-17, 2004, Poster F-2145. | <input type="checkbox"/> |
| 9 | C. Gray et al., "Characterization of MCB 3681, a Dual-action Antibiotic", 45th ICAAC, 2005, Washington, DC, December 16, 19, 2005, Poster F-512. | <input type="checkbox"/> |
| 10 | C. Gray et al., "Efficacy Studies of MCB 3837, a Dual-action Antibiotic, in Experimental Infections in Mice", 45th ICAAC, 2005, Washington, DC, December 16-19, 2005, Poster F-513. | <input type="checkbox"/> |
| 11 | S. Schubert et al., "Low Propensity to Develop Resistance to the Novel Antibacterial MCB 3681", 46th ICAAC, 2006, San Francisco, CA, September 27-30, 2006, Abstract F1-1968. | <input type="checkbox"/> |

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| 12 | M. Kresken et al., "In Vitro Activity of the Novel Antibacterial MCB 3681 Against Selected Gram-Positive and -Negative Bacteria Compared to Established Antibiotics", 46th ICAAC, 2006, San Francisco, CA, September 27-30, 2006, Poster F1-1967. | <input type="checkbox"/> |
| 13 | Concise Encyclopedia Chemistry (1993), page 490, the term "Heterocycles". | <input type="checkbox"/> |
| 14 | Dictionary of Chemistry, McGraw-Hill, 2nd Edition (2003), page 178, the term "heterocyclic compound". | <input type="checkbox"/> |
| 15 | Hcaplus 138:338143, "Preparation of dual action bactericides comprising a oxazolidinone and a quinolone or naphthyridinone moiety effective against multi-drug resistant bacteria", Hubschwerlen et al., 2007. | <input type="checkbox"/> |
| 16 | Hcaplus 138:304289, "Preparation of dual action bactericides comprising a oxazolidinone and a quinolone or naphthyridinone moiety effective against multi-drug resistant bacteria", Hubschwerlen et al., 2007. | <input type="checkbox"/> |
| 17 | Hcaplus 138:304288, "Preparation of dual action bactericides comprising a oxazolidinone and a quinolone or naphthyridinone moiety effective against multi-drug resistant bacteria", Hubschwerlen et al., 2007. | <input type="checkbox"/> |
| 18 | Hcaplus 141:395540, "Preparation and use of oxazolidinone-quinolinone and oxazolidinone-naphthyridinone hybrid antibiotics for the treatment of anthrax and other infections", Hubschwerlen et al., 2008. | <input type="checkbox"/> |

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EXAMINER SIGNATURE

| | | | |
|--------------------|--------------|-----------------|------------|
| Examiner Signature | /Rita Desai/ | Date Considered | 11/18/2011 |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|-----------------|---------------------|------------|
| Signature | /Dwight D. Kim/ | Date (YYYY-MM-DD) | 2011-09-26 |
| Name/Print | Dwight D. Kim | Registration Number | 57,665 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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